

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MR. BAR-B-QUE, INC.,

Plaintiff,

-v-

SEARS, ROEBUCK AND CO.,

Defendant.
-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/13/09

09 Civ. 4514 (DLC)

ORDER OF
DISCONTINUANCE

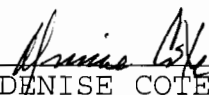
DENISE COTE, District Judge:

It having been reported to this Court that this case has
been settled, it is hereby

ORDERED that the above-captioned action be, and hereby is,
discontinued without costs to either party and without prejudice
to restoring the action to this Court's calendar if the
application to restore the action is made within thirty days.

SO ORDERED:

Dated: New York, New York
August 13, 2009



DENISE COTE
United States District Judge